



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**BAIL APPLICATION NO. 691 OF 2026**

Datta Laxman More,  
Age : 27 Years, Occu. : Labour,  
R/o Varsarni, Nanded,  
Tq. & Dist. Nanded. .. Applicant

**Versus**

The State of Maharashtra .. Respondent

Shri Shailendra S. Gangakhedkar, Advocate a/w Shri S. R  
Mantri, Advocate for the Applicant.  
Shri A. R. Kale, Addl.P.P. for the Respondent – State.

**CORAM : SHAILESH P. BRAHME, J.**  
**DATE : 29TH APRIL, 2026.**

**FINAL ORDER :**

. Heard both sides.

2. Applicant is seeking enlargement on bail in respect of offence bearing Cr. No. 450/2025 registered with Nanded Rural Police Station, Dist. Nanded for the offences punishable U/Sec. 103(1), 109, 352, 351(2), 351(3), 189(2), 191(2), 191(3), 190 and 61(2) Bhartiya Nyaya Sanhita, 2023 and Sec. 3, 4, 25 and 27 of the Arms Act.

3. He is arrested on 17.05.2025. The charge sheet is filed on 12.08.2025.

4. It is alleged against the applicant that he was accompanying main perpetrator Ashu Patil. On 11.05.2025 at the time of assault informant was called by Ashu Patil to settle the dispute. On reaching there Ashu Patil started abusing the informant and fired two bullets at him. He sustained injury below left arm. Another victim was Parvez Shaikh was accompanying informant, who was chased and shot dead by Ashu Patil. It is alleged that when informant tried to run away, he was intercepted by two persons.

5. Learned counsel for the applicant Mr. Gangakhedkar submits that first information report does not spell out present applicant and attribute any specific role. Only a person named as More is described without attributing anything to him. In the report no incriminating material is found against the applicant. Recovery of cloths is inconsequential. He is implicated due to supplementary statement recorded after one year that also does not indicate any specific role. The recovery of pistol is at the instance of accused No. 1 - Ashu Patil. The statements of the witnesses Parmeshwar Marotrao Londhe and Kiran Kerba Nikhate do not attribute any specific overt act. Applicant is claiming parity in view of bail granted to Omkar @ Sonya Murlidhar More and Vishal Vishnu More.

6. Per contra Mr. Atul Kale, learned Additional Public Prosecutor would submit that motive is spelt out in the FIR

itself. The supplementary statement explains as to how the first information report was lodged. The informant was in trauma due to injuries and he was unable to recollect. The applicant has participated in the overt act and he was all the while with the main perpetrator and helped him in committing offence. It is because of the applicant the deceased could not run away. Informant was hospitalized for substantial period and sustained serious injuries. My attention is adverted to the statement of co-accused Ashu Patil, which is relevant to the extent of consideration of bail. Applicant cannot claim benefit of parity. Applicant was well identified by the witnesses and test identification parade was not required.

7. The first information report, supplementary statement and the statements of the witnesses would indicate that there was motive for Ashu Patil to commit offence as there was some rivalry between the informant's uncle and him. The main assault is at the instance of the accused No. 1, who shot near about two bullets at informant and one more at deceased Parvez Shaikh. No specific overt act is attributed to the applicant. At the most his presence at the relevant time can be inferred.

8. The papers of investigation do not reveal any specific *mens rea* for the applicant to be associated with the main perpetrator for eliminating either informant or Parvez. The statements of the witnesses Parmeshwar Marotrao Londhe and Kiran Kerba Nikhate would indicate that applicant was identified and was

present at the relevant time. No specific role is attributed to him.

9. If the first information report is said to be recorded when informant was injured and in trauma, then atleast in the supplementary statement specific role or motive would have been attributed to the applicant. The postmortem report and injury certificate of informant would indicate that those are mainly fire arm injuries. The main perpetrator Ashu Patil can be said to be author of the same. The reference to the statement of co-accused Ashu Patil would not enure to the benefit of the respondent because that is totally inadmissible in evidence for any purpose.

10. It would be matter of trial as to whether there is need of test identification parade or not. Presently, I find that the involvement of the applicant is doubtful. More particularly no specific incriminating role is assigned to him.

11. The co-accused Omkar @ Sonya Murlidhar More and Vishal Vishnu More are enlarged on bail by the orders of this Court. They were also arraigned as accused on the basis of supplementary statement. In the case of present applicant only the surname More is mentioned in the first information report. Considering the incarceration of the applicant, I find that he is entitled to be released on bail. I, therefore, pass following order.

**O R D E R**

- (i) Bail applications are allowed.
- (ii) Applicants Datta Laxman More, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 450/2025 registered with Nanded Rural Police Station, Dist. Nanded, for the offences punishable under Sections 103, 103(1), 109, 352, 351(2), 351(3), 189(2), 191(2), 191(3), 190, 61(2) of Bharatiya Nyaya Sanhita and Sections, 3/25, 4/25 and 7 of Arms Act., on the following conditions :-
  - (a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
  - (b) The applicant shall attend the trial on each and every date unless exempted by the Trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
  - (c) The applicant shall submit Aadhar and Pan Card to the Investigating Officer and detailed address and phone number of the applicant and two of the near relatives.

(d) In case of breach of any of the conditions by the applicant, it is open for the prosecution to move concerned Court seeking cancellation of bail.

(iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial court shall proceed independently and uninfluenced by the observations made hereinabove.

**[ SHAILESH P. BRAHME J. ]**

*bsb/April 26*